

## **MINUTES**

### **MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** By **CHAIRMAN VICKI COCCHIARELLA**, on January 27, 2005 at 9:00 A.M., in Room 422 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Vicki Cocchiarella, Chairman (D)  
Sen. Joe Balyeat (R)  
Sen. Dave Lewis (R)  
Sen. Glenn Roush (D)  
Sen. Frank Smith (D)  
Sen. Carolyn Squires (D)  
Sen. Donald J. Steinbeisser (R)  
Sen. Bill Tash (R)  
Sen. Joseph (Joe) Tropila (D)

##### **Members Excused:**

Sen. Jon Tester (D)

##### **Members Absent:**

Sen. Duane Grimes (R)

**Staff Present:** Annie Glover, Committee Secretary  
Pat Murdo, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 278, 1/24/2005; SB 274,  
1/24/2005; SB 280, 1/24/2005  
Executive Action: SB 163

00:00:01

**HEARING ON SB 278**

**Opening Statement by Sponsor:** SEN. JERRY BLACK (R), SD 14, opened the hearing on SB 278, CPA practice across jurisdiction equivalency.

00:03:59

**Proponents' Testimony:**

Mr. Jim Woy, Certified Public Accountants, former Chairman,  
Montana Society of Certified Public Accountants

Ms. Holly Franz, Montana Society of Certified Public Accountants  
[EXHIBIT](#) (bus21a01)

**Opponents' Testimony:** None.

**Informational Testimony:** None.

00:08:30

**Questions from Committee Members and Responses:**

Question referred to:

Ms. Jill Caldwell, Bureau Chief, Licensing and Public  
Accountancy, Department of Labor and Industry

00:29:15

**Closing by Sponsor:**

00:31:49

**HEARING ON SB 274**

**Opening Statement by Sponsor:** SEN. GREGORY BARKUS (R), SD 4, opened the hearing on SB 274, Revise coverage of mortgage broker law.

[EXHIBIT](#) (bus21a02)

00:33:23

**Proponents' Testimony:**

Ms. Kristi Blazer, Montana Association of Mortgage Brokers

Ms. Julie Krause, Vice President, Mann Financial

[EXHIBIT](#) (bus21a03)

Mr. Jim Hanson, Fidelity Mortgage

**Opponents' Testimony:**

**Informational Testimony:**

Mr. Chris Olson, Department of Administration

00:43:42

**Questions from Committee Members and Responses:**

00:45:29

**Closing by Sponsor:**

00:48:44

**HEARING ON SB 280**

**Opening Statement by Sponsor:** SEN. CAROLYN SQUIRES (D), SD 48, opened the hearing on SB 280, Revise definition of wages for work comp.

00:51:56

**Proponents' Testimony:**

Mr. Dean Blackaby, Attorney

Mr. Jed Fitch, Montana Trial Lawyers Association

Mr. Don Judge, Teamsters Local 190

Mr. Gene Fenderson, Labor unions

00:59:49

**Opponents' Testimony:**

Mr. George Wood, Executive Secretary, Montana Self Insurers Association

Mr. Bob Worthington, Montana Municipal Insurance Authority

Mr. Shawn Bubb, Montana School Board Association

Mr. Jason Todhunter, Montana Logging Association

Mr. John Youngberg, Montana Farm Bureau, Montana Stockgrowers

01:08:47

**Informational Testimony:**

Ms. Nancy Butler, Montana State Fund

Ms. Jacqueline Lenmark, American Insurance Association

01:11:15

**Questions from Committee Members and Responses:**

01:33:18

**Closing by Sponsor:**

01:36:06

**EXECUTIVE ACTION ON SB 163**

**Motion/Vote:** SEN. TROPILA moved reconsider the motion to RECONSIDER THE MOTION TO TABLE SB 163. Motion carried unanimously by voice vote.

**Motion:** SEN. TROPILA moved that SB 163 DO PASS.

Discussion:

Motion: SEN. BALLYEAT moved that SB 163 BE AMENDED.

Questions referred to:

Mr. Roger McGlenn, Executive Director, Independent Insurance  
Agents of Montana

Ms. Jacqueline Lenmark, American Insurance Association

Motion/Vote: Motion carried unanimously by voice vote.

Motion/Vote: SEN. BALLYEAT moved that SB 163 BE AMENDED to add  
"solely." Motion carried unanimously by voice vote.

Motion: SEN. TASH moved that SB 163 DO PASS AS AMENDED.

Discussion:

Motion/Vote: SEN. TASH moved that SB 163 DO PASS AS AMENDED.

Motion failed 3-6 with SEN. COCCHIARELLA, SEN. SQUIRES, and SEN.  
TROPILA voting aye.

Motion/Vote: SEN. COCCHIARELLA moved that SB 163 BE TABLED AND  
THE VOTE REVERSED. Motion carried 6-3 with SEN. COCCHIARELLA,  
SEN. SQUIRES, and SEN. TROPILA voting no.

**ADJOURNMENT**

Adjournment: 11:00 A.M.

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SEN. VICKI COCCHIARELLA, Chairman

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ANNIE GLOVER, Secretary

VC/ag

Additional Exhibits:

**EXHIBIT ([bus21aad0.TIF](#))**